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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

WASYLCHAK, STEVEN R

ART UNIT PAPER NUMBER

3624

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,588

Applicant(s)

CHOW, CHRISTINA ET AL.

Examiner

Steven R. Wasylchak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/29/01

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buist (US 6,408,282) and in view of Buchalter (US H2064).

CLAIMS:

1. A brokerage account application method comprising the steps of:

receiving data from an Applicant,/ abstract; fig 2; fig

17(all); fig 53 (all); col 6, L 25-31

Buist does not explicitly teach forwarding said data to a credit bureau system for credit decision. However, Buchalter does teach forwarding said data to a credit bureau system for credit

decision / col 3, L 30-48; col 5, L 36-50. It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account. Buist does not explicitly teach obtaining, in a real-time environment, a credit decision relating to said Applicant from said credit bureau system. However, Buchalter does teach obtaining, in

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a real-time environment, a credit decision relating to said Applicant from said credit bureau system. / col 3, L30-48; col 5, L 36-50, 57-63. It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account.

Buist teaches opening a brokerage account for said Applicant. / fig 17 (all). Buist does not teach in response to a favorable credit decision.

However, Buchalter does disclose in response to a favorable credit decision / col 3, L 30-48; col 5, L 36-50, 57-63. It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account.

invoking a securities processing system to facilitate an activation of said account and use of said account./ col 10, L 26-41

2. Buist does not explicitly teach the method of claim 1, wherein the step of forwarding said data is accomplished utilizing a distributed credit bureau communication system. However, Buchalter does teach the step of forwarding said data is accomplished utilizing a distributed credit bureau communication system /col 3, L 30-48; col 5, L 36-50.

It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account.

3. Buchalter does not explicitly teach the method of claim 2, wherein receiving data from an Applicant includes receiving data from an Applicant over a distributed network. However, Buist does disclose receiving data from an

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Applicant includes receiving data from an Applicant over a distributed network. / fig 6 (all), fig 9C. It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account.

4. Buchalter does not explicitly teach the method of claim 2 wherein said account is a brokerage account with a pre-established trading limit. However, Buist teaches wherein said account is a brokerage account with a pre-established trading limit. / fig 9(965: margin); col 33, L 1-18 (account limit as trading limit); col 36, L 11-18 (buying power as trading limit). It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account.

5. Buchalter does not explicitly teach the method of claim 2, further comprising the step of capturing data in an accounts database. However, Buist teaches the step of capturing data in an accounts database./ col 3, L 1-20. It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account.

6. Buchalter does not explicitly teach the method of claim 5, further comprising the step of formatting said captured data into a format acceptable by said credit bureau system. However, Buist teaches the step of formatting said captured data into a format acceptable by said credit bureau system./ col 3, L 1-20. It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up a margin account.

7. Buchalter does not explicitly teach the method of claim 1, wherein the steps are performed in real-time.

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However, Buist teaches the steps are performed in real-time. / col 4, L 6-9:col 42 to col 43, L 6; fig 4 (all). It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up an efficient application procedure communication system.

8. Buchalter does not explicitly teach the method of claim 2, wherein said step of invoking a securities processing system further includes facilitating communication with a trading system to obtain user-authentication information used for trading. However, Buist teaches said step of invoking a securities processing system further includes facilitating communication with a trading system to obtain user-authentication information used for trading / fig 3 (354,386). It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up an secure communication system.

9. Buchalter does not explicitly teach the method of claim 8, wherein said user-authentication information comprises a username and password. However, Buist does disclose wherein said user-authentication information comprises a username and password. / col 9, L 10-24. It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up an secure communication system.

10. Buist does not disclose the method of claim 2, wherein said step of obtaining a credit decision from said credit bureau takes place in less than two minutes from when the information was transmitted to the credit bureau. However, Buchalter does wherein said step of obtaining a credit decision from

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said credit bureau takes place in less than two minutes from when the information was transmitted to the credit bureau. / col 3, L 30-48; col 5, L 36-50; 57-63 (less than two minutes includes real time). It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of setting up an efficient application procedure communication system.

11. A real-time brokerage account application method comprising the steps of:

- providing an online brokerage application website;
- electronically receiving brokerage application data from an Applicant over a distributed network;
- capturing application data in a host system database;
- formatting application data into a format accepted by a credit bureau;
- forwarding said formatted application data, utilizing a distributed credit bureau communication system, to said credit bureau for real-time account decision;
- receiving a credit decision from said credit bureau relating to said formatted application data;
- invoking a securities processing system to open a brokerage account with a pre-established trading limit;
- wherein said securities processing system communicates with a trading system to activate said brokerage account/ refer all to claim 1 above

12. An brokerage account application system comprising:

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a web server system for communicating with an Applicant to post and receive, over a distributed network, account application data from said Applicant;

a distributed credit bureau communication system configured to accept account application data and communicate said application data to one or more credit bureaus.

a securities processing system configured to communicate with a trading system to activate a brokerage account, wherein said trading system, at the request of an Applicant, is able to place an order for a trade./ all refer to claim 11 above

13. The brokerage application system of **claim 12** (corrected by Examiner), further comprising an application server for processing said application data and interfacing with said credit bureau system, wherein said credit bureau system receives said application data and generates a credit decision and approval notification in response thereto./ refer to claim 11 above

This action is **NON-FINAL**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylichak


1/7/05

VINCENT MILLIN
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